

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA K. SCHNEIDER
Supervising Deputy Attorney General
3 State Bar No. 101336
AMANDA DODDS
4 Senior Legal Analyst
110 West "A" Street, Suite 1100
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2141
7 Facsimile: (619) 645-2061
Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-690*

13 **BETTY JUNE DUCKWORTH**
14 **aka BETTY DUCKWORTH**
15 **198 Mountain View Street**
Glide, OR 97443

A C C U S A T I O N

16 **Registered Nurse License No. 454651**

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about July 31, 1990, the Board of Registered Nursing issued Registered Nurse
25 License Number 454651 to Betty June Duckworth, also known as Betty Duckworth
26 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to
27 the charges brought herein. The Registered Nurse license expired on November 30, 2011, and
28 has not been renewed.

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1 **CAUSE FOR DISCIPLINE**

2 **(Out of State Discipline Against Respondent's Nursing License)**

3 8. Respondent has subjected her license to disciplinary action under section 2761,
4 subdivision (a)(4) of the Code in that her registered nurse license was disciplined by the Oregon
5 State Board of Nursing (Oregon Board). The circumstances are as follows:

6 9. On or about March 7, 2005, Respondent was caring for a post repeat C-section patient
7 (SH) at a hospital in Roseburg, Oregon. Respondent conducted a full assessment of SH when the
8 patient arrived at 0900. A physician examined SH at 0930. For the next hour, Respondent
9 performed and charted fundal checks every 15 minutes. At 1030, Respondent stated that she
10 performed a fundal check and that all vital signs for SH were within normal limits, however the
11 record does not contain documentation to support this. While attending to other patients, at a load
12 rate that exceeded departmental policies, Respondent received word that SH's vital signs were
13 low. At approximately 1130, Respondent checked SH; the patient's vitals were low but she was
14 sitting up in bed, talking, pink, and appeared comfortable. Respondent did not conduct a detailed
15 physical assessment of SH, and left to attend to another patient's bleeding. The charge nurse
16 reported to Respondent at 1215 that she had just taken a lunch tray to SH and at that time the
17 patient was sleeping and appeared fine. Respondent left for her lunch break without checking SH
18 further, even though protocol required that she check SH's vitals and perform a fundal check at
19 1215. At 1250, a certified nurse assistant went to check SH's vital signs and found the patient
20 unresponsive and without a pulse. A code was called, but attempts to resuscitate SH were
21 unsuccessful. Respondent admitted that she should have rechecked SH's vital signs and
22 performed a fundal check at 1215 prior to going to lunch. The Oregon Board could not determine
23 whether such a check would have prevented the patient's death.

24 10. Based on these facts and circumstances, the Oregon Board concluded that
25 Respondent's conduct constituted a practice of nursing derogatory to the standards of nursing in
26 violation of Oregon Revised Statutes (ORS) 678.111(1)(f), and Oregon Administrative Rules
27 (OAR) 851-045-0015(1)(c), (1)(d), (3)(b), and (3)(h) as follows:

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11. ORS 678.111:

Causes for denial, revocation or suspension of license or probation, reprimand or censure of licensee. In the manner prescribed in ORS chapter 183 for a contested case:

(1) Issuance of the license to practice nursing, whether by examination or by endorsement, of any person may be refused or the license may be revoked or suspended or the licensee may be placed on probation for a period specified by the Oregon State Board of Nursing and subject to such condition as the board may impose or may be issued a limited license or may be reprimanded or censured by the board, for any of the following causes:

(f) Conduct derogatory to the standards of nursing.

12. OAR 851-045-0015:

Nurses, regardless of role, whose behavior fails to conform to the legal standard and accepted standards of the nursing profession, or who may adversely affect the health, safety, and welfare of the public, may be found guilty of conduct derogatory to the standards of nursing. Such conduct shall include, but is not limited to, the following:

(1) Conduct related to the client's safety and integrity:

(a) Failing to implement and/or follow through with the plan of care.

(d) Failing to modify, or failing to attempt to modify the plan of care as needed based on nursing assessment and judgment, either directly or through proper channels.

(3) Conduct related to communication:

(b) Incomplete record keeping regarding client care; including but not limited to failure to document care given or other information important to the client's care or documentation which is inconsistent with the care given.

(h) Failing to communicate information regarding the client's status to members of the health care team (physician, nurse practitioner, nursing supervisor, nurse co-worker) in an ongoing and timely manner.

13. Respondent agreed to dispense with the matter by stipulation. On February 9, 2006, in case number 05-389, the Oregon Board found that reasonable factual and legal grounds existed to support approval of the stipulation. Respondent's registered nurse license was suspended for 30 days. Respondent was ordered to complete a course of study in Documentation, Professional Accountability, and OB Emergencies, and write a paper on each topic presenting an outline of the course and the information that she could apply to her practice as a registered nurse.

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1 **PRAYER**

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 454651, issued to Betty
5 June Duckworth, also known as Betty Duckworth;

6 2. Ordering Betty June Duckworth to pay the Board of Registered Nursing the
7 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
8 Professions Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.
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11
12 DATED: February 28, 2013 Stacie Ben
13 for LOUISE R. BAILEY, M.ED., RN
14 Executive Officer
15 Board of Registered Nursing
16 Department of Consumer Affairs
17 State of California
18 Complainant
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